

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevan Morgan on Aug 2, 2008.

The application has been amended as follows:

Claim 1 has been replaced by:

- - 1. (Currently amended) A computer-implemented method of operating at least two markets on a platform comprising a computer system, the method comprising: electronically operating a first market process and a second market process on the computer system, wherein the first and second market processes respectively provide first and second markets that are separate and distinct and are each configured to execute orders for trading items between market participants; automatically, during an overlapping time interval, electronically posting an order for an item in both the first market and the second market, wherein during the overlapping time interval, the order is available to market participants in both the first and second markets to complete a trade for the item in the order; automatically and electronically controlling the execution of the order to ensure that the order is executed in at most one of the first and second markets, wherein each of the first and second markets operates according to a two phase action protocol in which in a first phase, permission is obtained from a controlling process to electronically execute the order, and in a second phase, the order is executed only if permission from the controlling

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process is obtained, and automatically, using at least one computer, reporting the execution of the order and the market in which the order was executed. - -

Claim 10 has been replaced by:

- - 10. (Currently amended) A computer-implemented method of representing an order for an item in at least two markets, comprising:

automatically, during an overlapping time interval, electronically posting the order in at least two markets that are separate and distinct markets, wherein during the overlapping time interval, the order is -available to market participants in the at least two markets to complete a trade for the item in the order;

automatically, controlling the electronic execution of the order to by providing executing authority to a single controlling process from which permission is obtained for the order to be electronically executed, and in which the order is executed only after permission to execute the order is obtained from the controlling process; and

automatically, using at least one computer, electronically receiving a report of the execution of the order and the market in which the order was executed. - -

Claim 15 has been replaced by:

- - 15. (Currently amended) A computer-implemented method for processing an order that, during an overlapping time interval, has been posted in at least two separate and distinct markets, comprising:

automatically, electronically receiving an inquiry from one of the at least two markets to affirm the availability of the order for execution in the one market, wherein the one market is precluded from executing the order until the availability of the order for execution is affirmed;

automatically, affirming availability of a specified number of items in the order to the one market; and

automatically electronically receiving a pairing report from the one market for at least one of the affirmed items. - -

Claim 22 has been replaced by:

- - 22. (Currently amended) A computer-implemented method of executing an order for an item in a market, wherein the market is one of at least two separate and distinct markets at which the order has been posted, during an overlapping time interval, for completing a trade for the item, the method comprising:
automatically, at a receiving market that operates on a computer system, electronically receiving the order from a source, wherein the order has also been received by another market that operates on the same computer system, the order being available to market participants in the at least two markets during the overlapping time interval to complete a trade for the item in the order;
automatically, computer, electronically determining whether the receiving market is authorized to execute the order;
automatically electronically executing the order at the receiving market after the receiving market has determined that it has is authorized to execute the order and further canceling the order in the other of the at least two markets; and
automatically, reporting the execution of the order.

New Claims 35-37 has been added as follow:

- - 35. (New) A computer-accessible storage medium having executable instructions stored thereon for operating at least two markets on a platform comprising a computer system, wherein the instructions, when executed, cause the computer system to:
electronically operate a first market process and a second market process on the computer system, wherein the first and second market processes respectively provide first and second markets that are separate and distinct and are each configured to execute orders for trading items between market participants, during an overlapping time interval;
electronically post an order for an item in both the first market and the second market, wherein during the overlapping time interval, the order is available to market participants in both the first and second markets to complete a trade for the item in the order;

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electronically control the execution of the order to ensure that the order is executed in at most one of the first and second markets, wherein each of the first and second markets operates according to a two phase action protocol in which in a first phase, permission is obtained from a controlling process to execute the order, and in a second phase, the order is executed only if permission from the controlling process is obtained; and electronically report the execution of the order and the market in which the order was executed. - -

- - 36 (New) A computer-implemented system for operating at least two markets, comprising:

means for electronically operating a first market process and a second market process, wherein the first and second market processes respectively provide first and second markets that are separate and distinct and are each configured to execute orders for trading items between market participants;

means for electronically posting an order for an item in both the first market and the second market during an overlapping time interval, wherein during the overlapping time interval, the order is available to market participants in both the first and second markets to complete a trade for the item in the order;

means for electronically controlling the execution of the order to ensure that the order is executed in at most one of the first and second markets, wherein each of the first and second markets operates according to a two phase action protocol in which in a first phase, permission is obtained from a controlling process to execute the order, and in a second phase, the order is executed only if permission from the controlling process is obtained; and

means for electronically reporting the execution of the order and the market in which the order was executed. - -

- - 37 (New) A computer-accessible storage medium having executable instructions stored thereon for executing an order for an item at a receiving market, wherein the

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receiving market is one of at least two separate and distinct markets at which the order has been posted, during an overlapping time interval, for completing a trade for the item, wherein the instructions, when executed, cause a computer system at the receiving market to:

electronically receive the order from a source, wherein the order has also been received by another market of the at least two separate and distinct markets, the order being made available to market participants in the at least two separate and distinct markets during the overlapping time interval to complete a trade for the item in the order;

electronically determine whether the receiving market is authorized to execute the order;

electronically execute the order at the receiving market after the receiving market has determined that it is authorized to execute the order, and further cancel the order in the other of the at least two separate and distinct markets; and

electronically report the execution of the order. - -

Allowable Subject Matter

2. Claims 1, 3-27, 31-37, are allowable over the prior art of record as argued by Applicant's representative in their response filed 5/7/08.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLEMENT B. GRAHAM whose telephone number is (571)272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CG

**/Frantzy Poinvil/
Primary Examiner, Art Unit 3692**

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